

REMARKS

Claims 1, 2, 4, 6, 8-10 and 12-16 are pending in this application. None of the claims is currently amended.

Regarding the double patenting rejection under 35 U.S.C. §101 based on U.S. Patent 6,823,386, the '386 patent is commonly owned with the present application, has a common inventor, and claims priority to the same provisional patent application as does this application - 60/121,661. However, the claims in this application are not sufficiently similar to those of the '386 patent to support a statutory double patenting rejection. Therefore, the statutory double patenting rejection should be withdrawn. Assuming the Office would otherwise reject the claims based on non-statutory, obviousness type double patenting, Applicant submitted a Terminal Disclaimer on February 2, 2006 which overcomes the non-statutory double patenting rejection. Applicant therefore requests a notice of allowance.

Respectfully Submitted,

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Date

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